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5 **UNITED STATES DISTRICT COURT**
6 **NORTHERN DISTRICT OF CALIFORNIA**
7 **SAN JOSE DIVISION**
8

9 MARK VASQUEZ PAJAS, et al.,

10 Plaintiffs,

11 v.

12 COUNTY OF MONTEREY, et al.,

13 Defendants.
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Case No. 16-cv-00945-BLF

**ORDER DENYING PLAINTIFFS’
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

[Re: ECF 153]

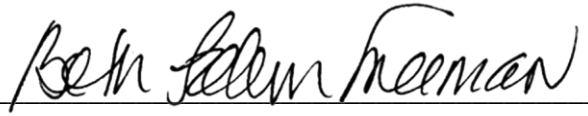
15 Plaintiffs have filed an administrative motion requesting that Exhibit 234 in support of
16 Plaintiffs’ Motion for Partial Summary Adjudication be sealed, as well as those portions of
17 Plaintiff’s Motion for Partial Summary Adjudication which refer to Exhibit 234. Plaintiffs state
18 that they bring the sealing motion “out of an abundance of caution” because, although Defendant
19 County did not designate Exhibit 234 as confidential pursuant to the protective order entered in
20 this case, the County produced Exhibit 234 to Plaintiffs with a prior stamp of “Confidential” on it.

21 Where the moving party requests sealing of documents because they have been designated
22 confidential by another party, the burden of establishing compelling reasons for sealing is placed
23 on the designating party. Civ. L.R. 79-5(e). “Within 4 days of the filing of the Administrative
24 Motion to File Under Seal, the Designating Party must file a declaration . . . establishing that all of
25 the designated material is sealable.” Civ. L.R. 79-5(e)(1). “If the Designating Party does not file a
26 responsive declaration . . . and the Administrative Motion to File Under Seal is denied, the
27 Submitting Party may file the document in the public record no earlier than 4 days, and no later
28 than 10 days, after the motion is denied.” Civ. L.R. 79-5(e)(2).

1 Defendants did not file a declaration addressing Exhibit 234 and the time to do so has
2 expired. Accordingly, Plaintiffs' administrative sealing motion is DENIED. Plaintiffs may file
3 Exhibit 234, as well as their Motion for Partial Summary Adjudication, in the public docket
4 without redaction no earlier than 4 days, and no later than 10 days, after the date of this Order.

5 **IT IS SO ORDERED.**

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7 Dated: July 10, 2018

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9 BETH LABSON FREEMAN
United States District Judge